

HEIDI C. LANZENDORFER,

Plaintiff,

v.

PHILIP BARBERA and MARILYN  
BARBERA, Husband and Wife, PHILIP  
BARBERA, JR., and BARBERA'S, INC.

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
: CAMBRIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION-LAW

: No. 2017-1035

: **PRAECIPE TO ENTER JUDGMENT**

: Filed on behalf of Plaintiff.

: COUNSEL OF RECORD FOR PARTY:

: RONALD P. CARNEVALI, JR., ESQUIRE

: I.D. NO. 47733

: TOBY D. MCILWAIN, ESQUIRE

: I.D. NO. 316074

: SPENCE, CUSTER, SAYLOR, WOLFE &  
: ROSE, LLC

: 1067 MENOHER BOULEVARD

: JOHNSTOWN, PENNSYLVANIA 15905

: (814) 536-0735

: **JURY TRIAL DEMANDED**

FILED FOR RECORD  
2017 MAY 19 AM 10:23  
PROCTER & KERRY  
CAMBRIA COUNTY, PA

HEIDI C. LANZENDORFER,

Plaintiff,

v.

PHILIP BARBERA and MARILYN  
BARBERA, Husband and Wife, PHILIP  
BARBERA, JR., and BARBERA'S, INC.

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
: CAMBRIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION-LAW

: No. 2017-1035

**PRAECIPE TO ENTER JUDGMENT**

To the Prothonotary:

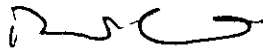
Please enter judgment of default in favor of Plaintiff, Heidi C. Lanzendorfer, and against Defendant, Philip Barbera, for Defendant's failure to plead to the Complaint in Civil Action within the required time. The Complaint contains a Notice to Defend within twenty (20) days from the date of service thereof. Defendant was served with the Complaint in Civil Action on April 7, 2017, and Defendant's responsive pleading was due to be filed on April 27, 2017.

Attached as Exhibit "A" is a copy of Plaintiff's written Notice of Intention to File Praecipe for Entry of Default Judgment, which I certify was mailed by regular mail to Defendant at his last known address on May 5, 2017, which is at least ten (10) days prior to the filing of this Praecipe.

Please assess damages in the amount of Nine Thousand Dollars (\$9,000.00), being the amount demanded in the Complaint, plus treble damages, and attorney's fees and costs.

Respectfully submitted,

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC



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Ronald P. Carnevali, Jr., Esquire

I.D. No. 47733

Toby D. McIlwain, Esquire

I.D. No. 316074

1067 Menoher Boulevard  
Johnstown, Pennsylvania 15905  
(814) 536-0735 (telephone)  
(814) 539-1423 (facsimile)

# EXHIBIT “A”

HEIDI C. LANZENDORFER,

Plaintiff,

v.

PHILIP BARBERA and MARILYN  
BARBERA, Husband and Wife, PHILIP  
BARBERA, JR., and BARBERA'S, INC.

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
: CAMBRIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION-LAW

:  
: No. 2017-1035  
:

:  
: **10-DAY DEFAULT NOTICE**  
:

: Filed on behalf of Plaintiff.  
:

: COUNSEL OF RECORD FOR PARTY:  
:

: RONALD P. CARNEVALI, JR., ESQUIRE

: I.D. NO. 47733

: TOBY D. MCILWAIN, ESQUIRE

: I.D. NO. 316074

: SPENCE, CUSTER, SAYLOR, WOLFE &

: ROSE, LLC

: 1067 MENOHER BOULEVARD

: JOHNSTOWN, PENNSYLVANIA 15905

: (814) 536-0735  
:

: **JURY TRIAL DEMANDED**

HEIDI C. LANZENDORFER,	:	IN THE COURT OF COMMON PLEAS OF
	:	CAMBRIA COUNTY, PENNSYLVANIA
Plaintiff,	:	CIVIL ACTION-LAW
	:	
v.	:	No. 2017-1035
	:	
PHILIP BARBERA and MARILYN	:	
BARBERA, Husband and Wife, PHILIP	:	
BARBERA, JR., and BARBERA'S, INC.	:	
	:	
Defendants.	:	
	:	<b>JURY TRIAL DEMANDED</b>

**10-DAY DEFAULT NOTICE**

To: Philip Barbera  
135 Belmont Street  
Johnstown, Pennsylvania 15904

Date of Notice: May 5, 2017

**IMPORTANT NOTICE**

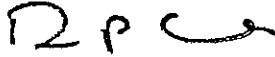
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**LAUREL LEGAL SERVICES, INC.  
225-227 FRANKLIN STREET  
SUITE 400 FRANKLIN CENTER  
JOHNSTOWN, PENNSYLVANIA 15901-2524  
TELEPHONE NUMBER: (814) 536-8917**

Respectfully submitted,

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC



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Ronald P. Carnevali, Jr., Esquire

I.D. No. 47733

Toby D. McIlwain, Esquire

I.D. No. 316074

1067 Menoher Boulevard  
Johnstown, Pennsylvania 15905

(814) 536-0735 (telephone)

(814) 539-1423 (facsimile)

*Attorneys for Plaintiff,*

*Heidi C. Lanzendorfer*

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 5th day of May, 2017, a true and correct copy of the foregoing 10-Day Default Notice was forwarded via first-class mail, postage pre-paid, to the following persons:

Philip Barbera and Marilyn Barbera  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendants*

Philip Barbera, Jr.  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendant*

Barbera, Inc.  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendant*

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC



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Ronald P. Carnevali, Jr., Esquire  
I.D. No. 47733  
Toby D. McIlwain, Esquire  
I.D. No. 316074

1067 Menoher Boulevard  
Johnstown, Pennsylvania 15905  
(814) 536-0735 (telephone)  
(814) 539-1423 (facsimile)  
*Attorneys for Plaintiff,*  
*Heidi C. Lanzendorfer*



# Certificate Of Mailing

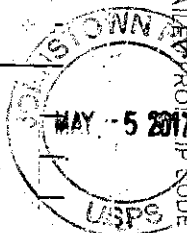
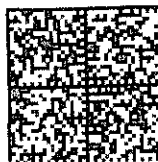
This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing.  
This form may be used for domestic and international mail.

**From:**

Spence, Custer, Saylor, Wolfe & Rose, LLC  
1067 Menoher Boulevard  
Johnstown, Pennsylvania 15905

**To:**

Philip Barbera  
135 Belmont Street  
Johnstown, Pennsylvania 15904



02 1P  
000842817  
MAIL PERMIT NO. 15905  
IP CODE 15905





**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on the 16th day of May, 2017, a true and correct copy of the foregoing Praecipe to Enter Judgment was forwarded via first-class mail, postage pre-paid, to the following persons:

Philip Barbera and Marilyn Barbera  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendants*

Philip Barbera, Jr.  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendant*

Barbera, Inc.  
135 Belmont Street  
Johnstown, Pennsylvania 15904  
*Defendant*

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC



---

Ronald P. Carnevali, Jr., Esquire  
I.D. No. 47733  
Toby D. McIlwain, Esquire  
I.D. No. 316074

1067 Menoher Boulevard  
Johnstown, Pennsylvania 15905  
(814) 536-0735 (telephone)  
(814) 539-1423 (facsimile)  
*Attorneys for Plaintiff,*  
*Heidi C. Lanzendorfer*

SPENCE

CUSTER

ATTORNEYS AT LAW

James R. Walsh • Ronald P. Carnevali, Jr.  
Michael J. Parrish, Jr. • Kevin J. Petak  
Toby D. McIlwain

*of counsel*  
James C. Munro, II

May 16, 2017

Debbie Martella, Prothonotary  
Cambria County Courthouse  
200 S. Center Street  
Ebensburg, Pennsylvania 15931

Re: Heidi C. Lanzendorfer  
Vs: Philip Barbera and Marilyn Barbera,  
Husband and Wife, Philip Barbera, Jr.,  
And Barbera's, Inc.  
No.: 2017-1035

Dear Ms. Martella:

Enclosed please find:

- (1) Three Praecipies to Enter Judgment;
- (2) check in the amount of \$48.75 (payable to Cambria County Prothonotary);
- (3) prepaid envelopes for my firm, Philip Barbera, Marilyn Barbera and Barbera's Inc.;

Please enter judgment in the amount of \$9,000.00 against Philip Barbera, Marilyn Barbera and Barbera's, Inc.

Please contact me if you have any questions. Thank you for your attention to this matter.

Very truly yours,



Ronald J. Carnevali, Jr.

TDM/kld

Enclosures

cc: Mr. Philip Barbera (w/enc.)  
Mrs. Marilyn Barbera (w/enc.)  
Barbera's Inc. (w/enc.)  
Mr. Philip Barbera, Jr. (w/enc.)  
Ms. Heidi Lanzendorfer (w/o enc.)